



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JRE

Docket No: 6903-99

22 September 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: FORMER [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that his naval record be corrected to show that he was discharged by reason of condition, not a physical disability, interfering with service, vice a personality disorder.

2. The Board, consisting of Messrs. Pfeiffer and Kastner and Ms. LeBlanc, reviewed Petitioner's allegations of error and injustice on 14 September 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. Petitioner served on active duty in the Marine Corps from 20 January to 5 August 1999, when he was discharged by reason of a personality disorder. He contends, in effect, that he was suffering from severe eczema and scrotal pain, as well as symptomatic flat feet, which adversely affected his ability to participate in training. He maintains that he was processed for discharge by reason of a personality disorder because it was an expeditious means for effecting his discharge. He contends that he does not suffer from a personality disorder, and submits statements from private physicians who support his position.

CONCLUSION:

Upon review and consideration of all the evidence of record, and after resolving doubt in Petitioner's favor, the Board finds that it would be in the interest of justice to grant his request.

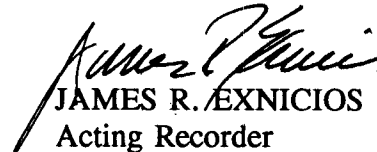
RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he was discharged from the Marine Corps on 5 August 1999, by reason of condition, not a disability, interfering with his performance of duty.

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



JAMES R. EXNICIOS
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director